

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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JOVAN WILLIAMS,

Plaintiff,

v.

Case No. 20-cv-1196-bhl

JEFFERY MANLOVE, et al.,

Defendants.

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**ORDER**

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Plaintiff Jovan Williams is representing himself in this 42 U.S.C. §1983 action. On July 6, 2021, Defendants filed a motion for summary judgment. On October 4, 2021, after having previously granted two extensions, the Court ordered Williams to file his response materials by October 15, 2021. Dkt. No. 36. Three days after the revised deadline, on October 18, 2021, Williams filed a fourth motion for an extension of time. Dkt. No. 37. Williams asked for an additional five days from the filing of his motion, or until October 23, 2021. By Williams' proposed deadline, the Court still had not received his response materials, so on October 29, 2021, the Court decided Defendants' motion without his input, as it warned Williams it would do if he failed to timely respond. The Court granted Defendants' motion on the merits and further noted that "Williams' failure to comply with the Court's orders and his failure to respond to Defendants' motion is sufficient cause in and of itself for the Court to grant their motion as a sanction for his willful disobedience, delay, and bad faith." Dkt. No. 45 at 2.

On November 2, 2021, Williams filed a motion for reconsideration. Dkt. No. 47. He explains that he gave his response materials to the institution librarian on October 26, 2021, and

that she e-filed his materials on October 28, 2021. The Court docketed the materials the next day, on October 29, 2021, the same day the Court decided Defendants' motion without Williams' input. Williams asks the Court to reconsider its decision, explaining that he is indigent, mentally ill, and housed in segregation. He asserts that he tried his best to comply with the Court's deadlines and requirements.

Although Williams filed his response materials after the Court's and his own proposed deadlines, the Court will grant Williams' motion for reconsideration, will reopen the case, and will allow Defendants to reply in support of their motion. A cursory review of his response materials reveals that Williams complied with the local rules by responding to each of Defendants' proposed facts as well as to the legal arguments in their brief. Given the challenges Williams faced in preparing his materials and given the Court's preference for deciding motions with both parties' input, the Court will excuse Williams' failure to comply with the response deadline.

**IT IS THEREFORE ORDERED** that Williams' motion for reconsideration (Dkt. No. 47) is **GRANTED**.

**IT IS FURTHER ORDERED** that the Court's October 29, 2021 order granting summary judgment (Dkt. No. 45) and the judgment (Dkt. No. 46) are **VACATED**. The Clerk of Court is directed to reopen this case.

**IT IS FURTHER ORDERED** that, if Defendants want to reply in support of their summary judgment motion, they may do so by **November 29, 2021**.

Dated at Milwaukee, Wisconsin on November 8, 2021.

*s/ Brett H. Ludwig*  
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BRETT H. LUDWIG  
United States District Judge